

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CEDRIC BISHOP, ON BEHALF OF HIMSELF
AND ALL OTHER PERSONS SIMILARLY
SITUATED,

: No.: 1-25-cv-2019-JPO

Plaintiffs,

: **AFFIRMATION IN SUPPORT OF
REQUEST FOR ENTRY OF
DEFAULT**

v.

COLLEGE OF ST. SCHOLASTICA, INC.,

:
:
:
:

Defendant.

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I, Jeffrey M. Gottlieb, Esq., an attorney duly admitted to practice in the State of New York and the Southern District of New York, hereby affirms the truth of the following under penalty of perjury:

1. I am the Principal of Gottlieb & Associates PLLC, and counsel for the Plaintiffs Cedric Bishop, On Behalf of Himself and All Other Persons Similarly Situated, in the above captioned matter. As such I am fully familiar with facts and circumstances regarding this action and the prior proceedings herein.

2. I make this affirmation pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in support of Plaintiff's application for the entry of default judgment against Defendant **COLLEGE OF ST. SCHOLASTICA, INC.**

3. This action was commenced on March 11, 2025 by filing a Summons and Complaint (Exhibit A).

4. On March 14, 2025, service was effectuated on Defendant **COLLEGE OF ST. SCHOLASTICA, INC.** by personal service at COLLEGE OF ST. SCHOLASTICA,

INC.'s principal place of business at 1200 Kenwood Ave., Duluth, MN 55811 by Mary Hermanson Executive Assistant to the President, (Exhibit B), with a courtesy copy of the Summons and Complaint e-mailed to the Defendant shortly after.

5. After sending the courtesy copy, we followed up by contacting COLLEGE OF ST. SCHOLASTICA, INC. through their Attorney who failed to file an answer or otherwise move and the time for same has expired and thus we are obligated to move for a default judgment; in which the attorney only sent us a link to a remote deposition, ignoring the fact the Defendant's Answer is past due.

6. This is an action for remediation of all existing violations, compensatory damages and to recover attorneys' fees and costs from Defendant to Plaintiff for violation of 42 U.S.C. 12181, *et seq.* of the Americans with Disabilities Act as well as the New York City Human Rights Law and New York State Human Rights Law.

7. The time for Defendant, COLLEGE OF ST. SCHOLASTICA, INC., to answer or otherwise move with respect to the complaint herein has expired.

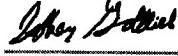
8. Defendant, COLLEGE OF ST. SCHOLASTICA, INC., has not answered or otherwise moved with respect to the complaint, and the time for Defendant COLLEGE OF ST. SCHOLASTICA, INC. to answer or otherwise move has not been extended.

9. That Defendant COLLEGE OF ST. SCHOLASTICA, INC. is not an infant or incompetent. Defendant COLLEGE OF ST. SCHOLASTICA, INC. is not presently in the military service of the United States as appears from facts in this litigation.

10. Defendant, COLLEGE OF ST. SCHOLASTICA, INC., is indebted to Plaintiff, Cedric Bishop on behalf of himself and all other persons similarly situated.

WHEREFORE, Plaintiff Cedric Bishop requests that the default of defendant
COLLEGE OF ST. SCHOLASTICA, INC. be noted and a certificate of default issued.

Dated: New York, New York
April 8, 2025


By: _____
Jeffrey M. Gottlieb, Esq.

GOTTLIEB & ASSOCIATES PLLC
Attorneys for Plaintiffs
150 East 18, Street Suite PHR
New York, New York 10003
(212) 228-9795
nyjg@aol.com